

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Revision Petitions filed before the Government under Regulation 1/1959 as amended by Regulation 1/1970 – Revision Petition filed U/s. 6 of APSALTR by Sri Inavolu Lakshmana Rao S/o Narasimha Rao R/o Bhadrachalam, Khammam District (now Bhadradri Kothagudem District) against orders of the Addl. Agent to Government & Project Officer, ITDA, Bhadrachalam, in CMA No.202/2007, dt.21.6.2008 – Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 45

**Dated: 18-06-2021,
Read the following:-**

1. Sri Inavolu Laxmana Rao S/o Narasimha Rao R/o Bhadrachalam Village and Mandal, Bhadradri Kothagudem District .dated 05.10.2008.
2. Govt.Memo.No.9835/LTR.2/2008, dated 05.01.2009.
3. From the Addl. Agent to Govt. Lr.RP.No.9835/LTR.2/2008 (CMA.No.202/2007), dt.16.01.2010.
4. Govt.Lr.No.9835/LTR.2/2008, dated 09.06.2016. 05.07.2016, 12.09.2016. 15-10-2016, 16.12.2016,30.01.2017, 8.3.2017, 27.04.2017, 07.06.2017 ,16.12.2017, 24.01.2018, 04.05.2018 ,17.07.2018, 16.4.2019, 16.05.2019, 27.06.2019. 17.12.2019 & 14.02.2020.
5. Memo filed by Counsel behalf of the Petitioner dated 11.04.2017 & 07.03.2020.
6. Written Arguments by counsel Sri Nanduri Srinivasa Rao on behalf of the Revision Petitioner on 9.3.2021.

ORDER

In the reference 1st read above, Sri Inavolu Lakshman Rao S/o Narasimha Rao, aged: 60 years, R/o Bhadrachalam, Khammam District (now Bhadradri Kothagudem District) has filed the present Revision Petition U/s.6 of APSA LTR 1/1959 as amended by Regulation 1/1970 against the orders of the Addl.Agent to Govt. & Project Officer, ITDA, Bhadrachalam in CMA No.202/2007, dt. 21.6.2008.

2. In the reference 2nd read above, Government have sent a copy of the Revision Petition to the Additional Agent to Government, Bhadrachalam to send para-wise remarks and connected case records. The counsel for Revision Petitioner namely Sri N.Subba Rao R/o Mehdiapatnam, Hyderabad, has been informed that the request for grant of stay on the operation of the orders of Addl. Agent to Government, Bhadrachalam, has been rejected.

3. In the reference 3rd read above the Additional Agent to Government, Bhadrachalam has furnished Para Wise Remarks and connected case records.

4. Government has called the case on 18.6.2016, 16.7.2016, 24.9.2016, 19.11.2016, 21.1.2017, 4.3.2017, 15.4.2017, 27.5.2017, 1.7.2017, 26.8.2017, 18.11.2017, 30.12.2017, 17.2.2018, 31.3.2018, 19.5.2018, 21.7.2018, 25.8.2018, 22.4.2019, 15.6.2019, 6.7.2019, 7.9.2019, 4.1.2020 and finally called on 7.3.2020. Counsel for petitioner was present. As prayed for, the Counsel was permitted time to submit Written Arguments which were submitted on 9.3.2021 in the reference 6th cited.

5. The history of the case is as follows:

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6. The Agency Divisional Officer, Bhadrachalam had initiated LTR case vide case No.7/Bhadrachalam/2006, basing on the report of Mandal Revenue Officer, Bhadrachalam stating that one Sesham Raju R/o Vijayawada C/o Kshatriya Annadanam Satram, Bhadrachalam purchased immovable properties at H.Nos.6-1-1, 6-1-19 and 6-1-20 consisting of 600 sq.yds from Sri Inavolu Laxman Rao for Rs.12,00,000/- in the month of May, 2006. He removed the old houses with tractor and cleared the area. Basing on the said report, notices were served on the parties and Sri Sesham Raju submitted explanation dt.3.6.2006 that Inavolu Laxmana Rao entrusted the properties to the management, but no sale was taken place and requested to drop the proceedings. Sri Inavolu Laxmana Rao (Respondent No.2) also submitted explanation stating that the scheduled property was given to Respondent No.1 – later he gave a detailed explanation through his advocate Sri P.Krishna Kumar stating that the property is in their possession more than a century, except himself no other person much less the alleged occupier has no interest by way of transfer of lease. As the building was old and needing major repairs, they wanted to construct a new building in the scheduled land. Meanwhile, due to miscommunication and mistake, the authorities thought that there is alienation and filed the case without any base and therefore, prayed to drop the proceedings. In support of consideration, he filed Photostat copies of documents and receipts. The contention of MRO was that he sold the scheduled land to R.Sesham Raju by Inavolu Laxman Rao for construction of lodge. After services of Notices, the Respondent No.1 stated that the scheduled property was entrusted to him for management and Respondent No.2 also admitted that the scheduled property was handed over to Respondent No.1 for management. Believing contention of the MRO and shifting of the management will also come under transfer, the Agency Divisional Officer, Bhadrachalam held that transaction between two non-tribals took place in contravention of sub-section 1 of section 3 of LTR 1959 R/W 1/70 which is null and void. Accordingly, passed ejectment orders on 30.4.2007 for an extent of 600 sq.yds.

7. Aggrieved by the orders of the ADO Bhadrachalam dt.30.4.2007 in LTR case No.7/06, Sri Inavolu Lakshmana Rao had filed an Appeal before the Appellate Authority i.e. Additional Agent to Government at Bhadrachalam under Section 3 (3) (a) (2) with the following grounds:

- Lower court without having any base of documentary evidence came to conclusion that transfer has taken place in contravention of Regulation 1/59 as amended by 1/70.
- Lower court failed to see that how the 1st respondent (Tahsildar, Bhadrachalam) came to a conclusion that the transaction took place in violation of regulation.
- Lower court ought to have insisted the 1st respondent to prove his case as he being petitioner of the case.
- Respondent ought to have believed the version and documents filed by the appellant herein.
- Lower court ought to have held and believed scheduled property is the ancestral property of the appellant and he got it from her relatives through a registered will deed dated 6.2.1982.

- Lower court ought to have seen that the appellant is paying current bills and water tax to the Government on his name, clearly shows that he is in possession of the scheduled land.
- Lower court ought to have observed that the 1st respondent (Tahsildar, Bhadrachalam) has not filed any document of a lease/transfer said to have been taken place between the appellate and the 2nd respondent herein (Sesham Raju).
- Lower court ought not to have believed and relied upon the simple report given by the then MRO without any base of documentary evidence and ought to have disbelieved the version of the 1st respondent (Tahsildar, Bhadrachalam).
- Lower court wrongly came to a conclusion that a transaction taken place between appellant and 2nd respondent (Sesham Raju) who is not a native of this village and has nothing to do with the scheduled property.

8. The Appellate authority i.e. Addl. Agent to Govt. had dismissed the appeal in CMA No.202/2007 on 21.6.2008 confirming lower court orders on the following grounds:

- As seen from the lower court file that the LTR case was initiated on the report of Mandal Revenue Officer stating that one Shesham Raju who is the 2nd respondent herein R/o Vijayawada purchased houses 6-1-1, 6-1-19 and 6-1-20 consisting of 600 sq.yds from Sri Inavolu Laxmana Rao for Rs.12.00 lakhs in the month of May, 2006, he removed the old houses with Tractor and cleared the area.
- The appellant's contention is that the schedule land is his ancestral property which he got through registered will dt.5.2.1982.
- The MRO's contention is that the schedule land was purchased by the 2nd respondent herein.
- As seen from the lower court order, the 2nd respondent herein Shesham Raju stated that the schedule property was entrusted to him for management by the appellant herein and the appellant also admitted that the schedule property was also handed over to the 2nd respondent for management. These two statements clearly attract the provisions of regulation. The entrustment and management of property by one NT to other NT is also a transfer.
- The documents filed by the appellant before this court are no way helpful as he has already stated that the property was entrusted for management to the 2nd respondent herein. This is clear case of violation and the lower court rightly passed orders.

9. Aggrieved by the above orders of the Addl. Agent to Government Bhadrachalam, Sri Inavolu Lakshmana Rao S/o Narasimha Rao, aged: 60 years, R/o Bhadrachalam, Khammam District has filed the present Revision Petition before the Government under Section 6 of APSALTR 1/59 stating in the Affidavit that:

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- He is the absolute owner of the schedule site along with old building having been acquired by him from his forefathers under Registered Will after death of the testator. His name is registered as owner and possessor in the Gram Panchayat Records.
- Himself and his forefathers have been in continuous possession and occupation of the schedule site titled houses more than a century. Except himself, no other person has got right of interest whatsoever in the schedule site.
- The existing old building with the tiled house is for demolition to enable him to construct a new house. He has engaged the 4th respondent (R.Sesham Raju) to demolish the same and prepare the ground for erection of new building.
- Due to miscommunication, the authorities thought that there is alienation between him and 4th respondent (Sesham Raju) and filed a case against him without any basis.
- There is neither oral nor documentary evidence to come to conclusion that there is violation of Land Transfer Regulation and the authorities failed to consider the documents filed by him that the schedule property is an ancestral property and he got the same by way of Registered Will dated 6.2.1992.
- He has been paying the house tax and water tax. His name is being reflected as owner of the property in Municipal records as owner and possessor of property as such there is no violation of Regulation I of 1959.
- There is no allegation against him that there is a lease or transfer in favour of 4th respondent (Sesham Raju).
- Before passing an order by the respondents 2 and 3 (Agency Divisional Officer and Addl.Agent to Govt. Bhadrachalam) relied on the Mandal Revenue Officer's report. The MRO's report is not based on any material either oral or documentary evidence. The report is purely based on assumptions and presumptions. As such there is no violation of provisions of Regulation I of 1959.
- Respondent No.4 (Sesham Raju) is not a native of Bhadrachalam and he is nothing to do with the property and also there is no basis to come to conclusion that the property was transferred in favour of Respondent No.4 (Sesham Raju). Till today, Revision Petitioner is in possession of the property.
- Therefore, prayed the Government to order suspension of order dated 21.6.2008 received on 19.9.2008 made in CMA No.202/2007 on the file of 3rd respondent (Addl.Agent to Govt. Bhadrachalam) confirming the order passed in LTR case No.7/BCM/2006, dated 30.4.2007 (Agency Divisional Officer, Bhadrachalam) and pass such other order or orders as it may deem fit and proper in the circumstances of the case.

10. The Revision Petitioner Sri Inavolu Lakshmana Rao has also submitted the following grounds in the Revision Petition:

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- Order passed by the 2nd respondent (ADO Bhadrachalam) confirmed by the 3rd respondent (AAG Bhadrachalam) is not in conformity with the provisions of the land transfer regulation and perverse to the facts of the case.
- Respondents 2 and 3 failed to address itself, whether asking the 4th respondent (Sesham Raju) to manage the property to prevent the encroachment from the relatives of the Revision Petitioner amount to transfer.
- Respondents 2 and 3 failed to appreciate the explanation submitted by the revision petitioner and material placed by him indicating the house tax and other taxes are being paid by him leads irresistible conclusion that there is no transfer in terms of land transfer regulation.
- Respondents 2 and 3 erred in come to the conclusion that there is a violation of Regulation 1 of 1959. It ought to have seen the 4th respondent was asked to demolish the existing to enable him to construct new house does not amount to transfer of property under Regulation 1 of 1959.
- Respondents 2 and 3 failed to appreciate that there is neither oral nor documentary evidence before it come to the conclusion that there is violation of land transfer regulation.
- Courts below erred in not taking into consideration the documents filed by the Revision Petitioner, it ought to have considered the same. The schedule property is ancestral property and got the same by way of Registered Will dated 6-2-1982.
- Respondents 2 and 3 failed to appreciate as on the date of initiation of proceedings, the Revision Petitioner is paying the house tax and water tax and his name is being reflected as owner of the property in Municipal records as owner and possessor of property as such the finding that there is violation of Regulation 1/1959 is erroneous and perverse in view of the unimpeachable oral and documentary evidence on records.
- Respondents 2 and 3 ought to have seen that there is no allegation that there is a lease or transfer in a form in favour of 4th respondent (Sesham Raju) as such in any event it cannot be said that there is a transfer as held by respondents 2 and 3.
- Respondents 2 and 3 ought not to have relied on the report said to have been sent by the Mandal Revenue Officer. The said report is not based on any material either oral or documentary evidence. As such the report which is based on purely assumptions and presumptions cannot be taken as basis to come to a conclusion that there is violation of provision of Regulation 1 of 1959.
- Respondents 2 and 3 failed to appreciate that respondent 4 (Sesham Raju) is not a native of Bhadrachalm and he is nothing to do with the property and also there is no basis to come to conclusion that the property was transferred in favour of R4 (Sesham Raju).

- In any event, in the absence of any material to substantiate the report of Mandal Revenue Officer, the order under Revision is liable to be set aside.

11. The following material papers have been submitted by the Revision Petitioner along with the Revision Petition:

- i) Explanation submitted by the respondent pattedar i.e. Inavolu Lakshmana Rao R/o Bhadrachalam dt.30.10.2006 before the Agency Divisional Officer, Bhadrachalam in LTR case No.7/BCM/2006 – wherein he stated that he is the absolute owner of scheduled site along with old building having been acquired by him from his forefathers under Registered Will. After death of the testator, he succeeded to the estate left by him and his name is registered as owner and possessor in Gram Panchayat records. Himself and his forefathers have been continuous possession and occupation of scheduled site with tiled houses than a century. Except himself, no other person much less the alleged occupier has got any right of interest whatsoever in the schedule site under transfer by way of lease or any other form of transfer at any point of time in the past and still he is continuing in possession and occupation over the same till now. Since the said building is an age old one, needed major repairs and as such he wanted to construct a new building in that site and with that object, he has engaged to demolish the same and prepare ground for erection of new building. In the meanwhile, due to miscommunication and mistake, the authorities thought that there is alienation between them and filed this case without any basis. The petitioner is put to strict proof of any transfer as alleged by him in the petition and the petition is liable to be dismissed in lime-line. Therefore, prayed to drop the proceedings after considering the evidence on record in the interest of justice. **Sd/- Respondent – recorded by Divisional Admn. Officer O/o Sub-Collector's office, Bhadrachalam.**
- ii) Written Arguments filed by the Respondent Sri R.Seshama Raju – wherein he stated that the contents in the notice are not correct. The land described in the notice does not pertain to him and no transfer has been effected in favour of alleged respondent purchaser attracting the provisions of the LTR 1959 as amended by Regulation I of 1970. Hence, the initiation of proceedings under the LTR is not warranted. In order to exercise jurisdiction under LTR 1 of 1970, there shall be a transfer in violation of the Regulation I of 1970, but in this case, there is no such transfer from owner in favour of the respondent. Hence, the very initiation of proceedings under LTR by way of issuing notice under explanation, is not warranted. In the absence of any transfer, in violation of any provisions of Regulation I of 1970, the Hon'ble court cannot prosecute the further proceedings pursuant to the notice under explanation. As such the same is liable to be dropped in the interest of justice and equity. **Sd/- by R.Sesham Raju (Respondent) – attested by Divl.Admn.Officer, Sub-Collector's Office, Bhadrachalam.**
- iii) Affidavit filed by I.Lakshmana Rao before the Addl.Agent to

Government at Bhadrachalam – wherein he deposed that he is the owner and possessor of the schedule land. 1st Respondent i.e. Tahsildar, Bhadrachalam initiated LTR case No.7/06 before Agency Divisional Officer, Bhadrachalam against him and 2nd respondent (Sesham Raju. Hon'ble Court passed ejectment orders on 30.4.2007 and he filed an appeal before Hon'ble Court as he got a prima-facie case and there is every likelihood of winning the appeal. As the appeal may take a long time for its decision and the Tahsildar may take steps for eviction, prayed to set-aside lower court orders and issue instructions to the 1st respondent i.e. Tahsildar, Bhadrachalam not to interfere with his peaceful enjoyment till disposal of the main appeal.

- iv) Copy of Appeal with appeal grounds.
- v) Reply to Form-E Notice by Sri Inavolu Lakshmana Rao (true copy).
- vi) Copy of Registered Will Deed Document No.3 of 1982 executed on 5.2.1982 – executed by Samineni Ratnabayamma W/o late Samineni Venkata Subba Rao, aged: 50 years R/o Bhadrachalam village and Taluq of Khammam District – in favour of Sri Inavolu Lakshmana Rao S/o Narasimha Rao (Inavolu Narasimha Rao is brother of Ratnabayamma) R/o Kudunuru village of Nugur Taluq, Khammam District – schedule of property – Bhadrachalam Taluq – Bhadrachalam Gram Panchayat – 6th Ward – residential place towards eastern side 613 ½ sq.yds. or 511 ¼ sq.metres two tiled house bearing No.6-19 – Sy.Nos. 4/2, 27/4 and 1/4.

12. The Revision Petitioner has filed WP No.24248 of 2008 in the Hon'ble High Court of Judicature, Andhra Pradesh at Hyderabad to issue a writ of Mandamus or any other appropriate writ, order or direction, declaring the proceedings of the 3rd Respondent (Agency Divisional Officer, Bhadrachalam, Khammam District) in LTR case No.7/Bhadrachalam/2006, dated 30/4/2007, confirmed by the 4th Respondent (Addl. Agent to Government and Project Officer, ITDA Bhadrachalam, Khammam District) in CMA No.202/2007, dated 21/6/2008 as they are illegal, arbitrary and contrary to AP LTR 1/59 and consequently direct the Respondents to desist themselves from interfering with the property owned and possessed by the petitioner to an extent of 600 sq.yds situated at House Nos.6-1-1, 6-1-19 and 6-1-20 of Pokalavari Street, Bhadrachalam, Khammam District.

13. The Hon'ble High Court in the above WP has passed the following order at the admission stage, on 06.11.2008:

- "i. This Writ Petition has been filed by Inavolu Lakshmana Rao, assailing the action of Tahsildar, Mandal Revenue Officer, Bhadrachalam in contemplating to dispossess him from the land in occupation pending the revision before the 1st respondent.
- ii. The petitioner claims to be the owner and possessor of 600 square yards comprising House bearing No.6-1-1, 6-1-19 and 6-1-20 of Pokalavari Street, Bhadrachalam. Proceedings have been initiated against him on the ground that his possession is in contravention of Andhra Pradesh Scheduled Areas Land Transfer Regulation I of 1959 as amended by Regulation I of 1970. The

primary authority conducted enquiry and found the possession of the petitioner over the land in dispute is in contravention of the provisions of A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation I of 1970. The petitioner filed appeal before the Additional Agent to the Government and the appeal filed by him ended in dismissal. Thereupon, he filed a revision before the 1st Respondent under Section 6 of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1979 on 6-10-2008. He also moved application seeking interim stay of the orders passed by the primary authority as confirmed by the appellate authority. Pending the revision, the Tahsildar, Mandal Revenue Officer-2nd Respondent is contemplating to dispossess him.

- iii. When the writ petition came up for admission, learned Government Pleader for Social Welfare received notice on behalf of the respondents 1 to 4.
- iv. Heard learned counsel appearing for the petitioner and learned Government Pleader for Social Welfare appearing for respondents 1 to 4.
- v. The factual aspect of the petitioner filing the revision before the 1st respondent is not in dispute.
- vi. In that view of the matter, this writ petition is disposed of directing the 1st Respondent to consider the revision filed by the petitioner and pass appropriate orders. There shall be status quo existing as on this day with regard to the possession of the land in dispute till disposal of the revision or stay application filed by the petitioner, which is earlier. No order as to costs."

14. In the reference 3rd cited, the Addl. Agent to Government, Bhadrachalam, has submitted the following para-wise remarks and connected case record through his Lr.No.CMA 202/2007, dt.16.01.2010:

- The schedule property belongs to the Revision Petitioner and was entrusted to 4th respondent which comes under transfer. As per the definition, the entrustment will also come under transfer. The lower court clearly stated that the respondent No.2 (the Revision petitioner herein) who is the seller that the schedule property was handed over to respondent No.1 (4th respondent) for management. Basing on the statements of the Revision Petitioner and the 4th respondent herein, lower court passed orders.
- Revision Petitioner submitted his explanation before the 2nd respondent to the Form-E notice, in which the management of the scheduled land was entrusted by the Revision Petitioner to the 4th respondent who is the resident of Vijayawada. The 4th respondent also submitted his explanation stating that the immovable property was handed over to him for management. These two explanations are sufficient proof to come to a conclusion by the lower court that it is clear violation of Regulation. The lower court considering all the documents passed the orders.

- **It is not a dispute how the Revision Petitioner got the schedule property, the only point for consideration is whether any transfer has taken place with regard to immovable property** before the Revision Petitioner and 4th respondent as defined in the Regulation. Further, paying of house tax and water tax, LTR will not preclude the 1st respondent to initiate LTR proceedings.
- The explanation submitted by the Revision Petitioner and 4th respondent before 2nd respondent to Form-E notice are sufficient to come to a conclusion as "transfer" which is contrary to the Land Transfer Regulation 1/59 as amended by 1/70.
- The Mandal Revenue Officer came to know about the transfer and initiated the case, and the Revision Petitioner and 4th respondent admitted their entrustment with regard to scheduled property and it is sufficient proof to believe about the transfer of schedule land against the Regulation.

15. In the reference 5th cited, Sri Nanduri Srinivasa Rao, Advocate, Bhadrachalam, Khammam District, has filed Memo on behalf of the Petitioner Sri Inavolu Lakshmana Rao stating that the petitioner got filed the Revision Petition against the order of the Addl.Agent to Govt ITDA Bhadrachalam dated 21.06.2008 in CMA No.202/2007 through his counsel M/s.N.Subbarao & others, Hyderabad and the Hon'ble High Court vide the order dated 06-11-2008 in WP No.24248/2008 was pleased to grant status quo with regard to the possession till disposal of the Revision Petition and accordingly the petitioner is continuing in possession of the schedule property. Now, the petitioner has changed his counsel and appointed him and Sri Kommaraju Srimannarayana, Advocates, Bhadrachalam, Khammam Dist. Telangana State as his Counsels to represent him in the present Revision Petition before the Government. Hence, requested the Government to record change of counsel and direct the concerned for issue of Notices to them to appear before the Government for contesting on behalf of the petitioner. Along with the Memo, Vakalat with NOC given by the original counsel have been submitted.

16. In the reference 6th cited, the counsel Sri Nanduri Srinivasa Rao has filed following Written Arguments on 9.3.2021 on behalf of the Revision Petitioner:

- Revision Petitioner is the absolute owner and legitimate possessor of the house property bearing H.Nos.6-1-1, 6-1-19 & 6-1-20 respectively situated in an extent of 600 sq.yds situated at Bhadrachalam village of Bhadrachalam Mandal, Bhadrachalam Kothagudem District.
- The property originally ancestral property of the husband of the paternal aunt of the revision petitioner viz., Sri Samineni Venkata Subba Rao, which fell to his share under the registered partition deed dated 30-12-1959 in document No.378/1959 and after his death, his estate including subject property was succeeded by his wife Smt.Samini Ratna Bayamma.
- Samineni Ratna Bayamma's daughter Tayi Rangamani since pre-

deceased to Smt.Ratna Bayamma and as she has no other children, had grown up the Revision Petitioner (who is none other than the 4th child of her elder brother) with love & affection and executed a registered will deed dated 05.02.1982 in document No.3/1982, where-under she bequeathed her entire properties including the subject house property in favour of the Revision Petitioner. After her death, the Revision Petitioner succeeded and in possession and enjoyment of the same exercising rights as absolute owner and legitimate possessor.

- Since the house properties were constructed more than a century past and in dilapidated state, the revision petitioner intends to demolish the old houses and desirous of taking up a fresh construction in the site. Accordingly, the revision petitioner entrusted the demolition work of the three houses to the management of the 4th respondent (R.Sesham Raju) who is a resident of Vijayawada and who is looking after the construction works of Kshatriya Annadana Satram at Bhadrachalam. Accordingly, the 4th respondent herein had completed the demolition in or about the month of April 2006 and removed the demolished debris from the site and cleaned it and kept ready to proceed with the new construction as desired by the petitioner.
- At that moment, to the surprise of the revision petitioner, the 2nd respondent (Agency Divisional Officer, Bhadrachalam) initiated LTR case No.7/Bhadrachalam/2006 basing on a vague, ambiguous report on mere suspicion from the then Mandal Revenue Officer falsely alleging that this revision petitioner had sold the houses to the 4th respondent for Rs.12,00,000/- in violation of the provisions of Regulation 1/59 R/W 1/1970 and to eject the 4th respondent from possession of the property. It is pertinent hereto submit here that, the then MRO Bhadrachalam not submitted any document evidencing alleged transaction between the revision petitioner & the 4th respondent nor even described the details of alleged transaction such as date of alleged transaction, how the consideration was passed etc.
- On receipt of the notice from the 2nd respondent, the revision petitioner as well as the 4th respondent appeared and submitted explanation that there is no transaction or transfer of the subject property in between them as alleged by the Mandal Revenue Officer, and only he entrusted the management of the oproperty for the purpose as stated supra. Thereby the 2nd respondent, without conducting any enquiry and without furnishing even the copy of alleged report of the Mandal Revenue Officer, Bhadrachalam and without even examining the Mandal Revenue Officer about the facts leading him to suspect the alleged transaction and without giving an opportunity to this revision petitioner to examine the Mandal Revenue Officer, hastily, arbitrarily and in hurried manner disposed the LTR case No.7/Bhadrachalam/2006 by the impugned order dated 30-04-2007, holding that, "shifting of management also will come under transfer" and thereby directed the Mandal Revenue Officer, Bhadrachalam to eject the Revision Petitioner from possession of the subject property and take over the possession and assign to the eligible poor tribals as per rules. The 2nd respondent not even

conducted the enquiry about the nature of alleged entrustment of the property for management by the Revision Petition and that which work got done by the petitioner. Further, both the respondents No.2 & 3 totally failed to give any observations with cogent reasons, settled principles of law & decisions of Hon'ble High Court & the Apex Court as to how the management of property amounts to transfer. Therefore, said observation and consequent orders by the respondents 2 & 3 are bad under law and are arbitrary in nature and detrimental to the provisions of principles of natural justice, Articles 14, 19 & 300 A of the Constitution of India.

- There is no law for the time being in force empowering any public servant or the quasi judicial authority either to initiate or to pass order of ejectment against a person in possession of immovable property exercising ownership rights, on mere suspicion or doubt about a transfer and consequent ejectment order on mere assumptions, presumptions, inferences basing on the mere version of contents of report submitted on a mere suspicion or doubt, more particularly in the absence of any documentary proof and without conducting enquiry by not giving opportunity to examine such public servant who given such false and frivolous against person in possession with title.
- Aggrieved by the order of the 2nd respondent dated 30.04.2007 in LTR case No.7/Bhadrachalam/2006, the revision petitioner herein filed statutory appeal on the file of the 3rd respondent (Addl.Agent to Govt. Bhadrachalam), who taken cognizance of the appeal as CMA No.202/2007. The 3rd respondent granted stay against the impugned order dated 30.04.2007 vide order dated 24.07.2007 and without conducting enquiry by raising the issue "whether the entrustment of property for management" comes within the meaning of transfer or not? and passed the impugned order dated 21.06.2008 holding that such entrustment for management comes under transfer and dismissed the appeal directing the Tahsildar, Bhadrachalam to take over the possession of subject land into the Government custody evicting the persons in possession and distribute the same to the eligible poor tribals.
- Aggrieved by the above orders of the 3rd respondent herein, the Revision Petitioner filed the present Revision and also obtained stay of his dispossession from the subject property pending disposal of the Revision from the Hon'ble High Court vide order dated 06-11-2008 in WP No.24248/2008.
- It is the admitted fact that, the subject property is neither government land nor tribal land and it is the absolute ancestral property of the husband of the paternal aunt of the revision petitioner prior to 1959 and fallen to his share under registered partition deed dated 30-12-1959 in document No.378/1959. Therefore, the presumption envisaged under Sec.3(1)(a) of Regulation 1/1959 is not applicable.
- As such, the adjudicating issues for determination before this Hon'ble Authority for disposal and in respect of which, the respondents No.2 & 3 failed to adjudicate and conduct any enquiry, are that –

- (1) Whether the succession of the subject property by the Revision Petitioner under the will deed dated 03-02-1982 is a Transfer in violation of Sec. 3(2)(a) of the Regulation 1/1959 r/w 1/1970.
- (2) Whether entrustment of immovable property in the scheduled area for management is a Transfer in violation of Sec. 3(2) (a) of the Regulation 1/1959 r/w 1/1970.
- (3) Whether the property is liable to be taken into the possession of Government for assignment to poor tribals or what is the course as envisaged under the Regulation?

1. What is transfer, for the purposes under Regulation 1/1959 r/w 1/1970:

Sec. 2 (g) of the Regulation 1/1959 r/w 1970 reads that, the term "Transfer" means mortgage with or without possession, lease, sale, gift, exchange or any other dealing with immovable property, **not being a testamentary disposition** and includes a charge on such property or a contract relating to such property in respect of such mortgage, lease, gift, sale exchange or other dealing".

Sec. 3(4) of the Regulation 1/1959 r/w 1/1970 reads that, "for the purposes of this section, the express transfer includes a sale in execution of a decree and also a transfer made by a member of a Scheduled Tribe in favour of another member of Scheduled Tribe benami for the benefit of a person who is not a member of a Scheduled Tribe, **but does not include a partition or a devolution by succession.**

Therefore, it is to be appreciated that, the Regulation 1/1959 r/w Regulation 1/1970 itself excluded the acquisition of any immovable property by devolution by general succession as well as succession under testament.

The express "transfer" arises and come into existence, when there exists any transaction in between two living persons including legal persons in respect of any movable or immovable property. Whereas, the expression "succession" arises after the death of a person having rights of title and possession over movable or immovable property and subsequently falling to legal heirs by way of general succession which they govern or otherwise, by way of disposition under a testament in accordance with the desire of such owner as specified in the testament deed.

Thus, the main character for existence of a transfer must be one that, the person delivering possession with title and the person handing over the possession with title, both must be alive, to come within the fold of the meaning of "Transfer". But in the case of succession, the property of one's should pass to other, only after death.

Sec.2 (h) of the Indian Succession Act-1925 defines the

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term "Will" means "The legal declaration of the intention of the testator (executants) with respect to his property which he desires to be carried into effect after his death".

Such disposition of property will be called as testamentary disposition and the person who is the beneficiary under such testament and consequent acquisition is called as "testamentary succession".

In this regard, it is submitted that, **the Hon'ble High Court at Hyderabad vide order dated 03-01-2013 in WP No.11198/2011** between Smt.Alapati Kanaka Durga & another vs. The Special Deputy Collector, Tribal Welfare, KR Puram, Buttaigudem Mandal & others, reported in ALT(6) 2013 page-488 held that **"the acquisition of the immovable property situated in the scheduled areas by virtue of will deed is not amounts to transfer as envisaged under Sec.2(g) of the Regulation 1/1959 r/w 1/1970 and amounts to succession"**. (online copy of order is hereby filed for kind perusal as ready reference).

Therefore, it is submitted that, the succession of the subject property by the Revision Petitioner under the Will deed dated 03-02-1982 is not a Transfer in violation of Sec. 3 (2) (a) of the Regulation 1/1959 r/w 1/1970. The acquisition of such property by the revision petitioner under the Will deed executed by his paternal aunt is not comes within the fold of "Transfer" and on the other hand it amounts to testamentary succession.

2. With regard to the issue, whether entrustment of immovable property in the scheduled area for management is a Transfer in violation of Sec.3(2) (a) of the Regulation 1/1959 r/w 1/1970?

As stated supra, the meaning of transfer under the provisions of Regulation 1/1959 r/w 1/1970 does not include entrustment of any immovable property situated in the scheduled area for management to any person. The expression "other dealing with the immovable property" as occurring in the meaning of transfer is to be considered to the extent of prohibited manner of transfer i.e. mortgage, sale, lease, charge etc. excluding the testamentary succession.

The same issue of entrustment of immovable property of the institution by name "Amba Satram" at Bhadrachalam together with its immovable properties situated in the Scheduled Area of present Bhadrachalam District, for management to another person (both non tribal) having head office at Karnataka, when questioned by an employee working in the institution, by way of filing WP No.17153/2003 before the Hon'ble High Court at Hyderabad, the Government itself contended that, the act of entrustment of the affairs of immovable property for management to another person do not come within the meaning of "transfer" under Regulation 1/1959 r/w Regulation 1/1970.

The Hon'ble High Court after hearing both parties, vide the order dated 19-07-2005 dismissed the Writ Petition, holding that, entrustment of immovable property in the scheduled area for management is not a transfer. (Online copy of which is hereby filed for the kind perusal as ready reference).

The Hon'ble High Court observed that the express transfer under "Sec. 5 of the Transfer of Property Act means – an act by which a living person conveys property in present or in future, in one or more other living persons or to himself and one or more other living persons, and "to transfer property" is to perform such act. The word conveys is used in a wide sense so as to include sale, mortgage, charge, lease etc. In the impugned proceedings, nowhere it is stated that, the transfer of lands situated in the agency area have been transferred to the fifth respondent institution either by way of mortgage, lease, sale, gift, exchange or other dealing. But the notification only gives permission to the fifth respondent to administer the Amba Satram permanently. The administration is entirely different from transfer and hence administration does not come within the meaning of the word "other dealing" as expressed in Sec. 2(g) of the Regulation-70".

It is submitted that, within the fold of above observations to the facts and circumstances of the present case of facts, the revision petitioner herein only entrusted this subject property for demolition to the 4th respondent, which the 4th respondent dealt with. Hence, such entrustment of managing the affairs of demolition of the existing old house of the revision petitioner in the site owned and possessed by him, cannot come within the meaning of "transfer", and such conclusion by the respondents 2 & 3 not only beyond the purview of the meaning of transfer under Secd.2 (g) r/w Sec. 3 (4) of the Regulation 1/1959 r/w 1/1970 but also against the binding decision stands in favour of the Government in WP No.17153/2003 as the alone, the respondents 2 & 3 issued the impugned orders under total misconception of the law with grave perverted manner, beyond their powers. Hence, the impugned orders under revision are liable to be set aside, as there is no proof of alleged transaction between the petitioner and the 4th respondent herein and for the reason that the 1st respondent failed to adduce any sort of evidence in support of his contentions in the alleged report.

3. With regard to the issue, whether the subject property is liable to be taken into possession of Government for assignment to poor tribals or what is the course under the Regulation?

Sec.3(2)(a) of the Regulation 1/1959 r/w 1/1970 reads that "whereas transfer of immovable property is made in contravention of sub-section (1), the Agent, the Agency Divisional Officer or any other prescribed officer may, on application by any one interested or on information given in

writing by a public servant, or suo motu decree ejectment against any person in possession of the property claiming under the transfer, after due notice to him in the manner prescribed and may restore it to the transferor or his heirs."

Sec.3(2)(b) reads that "if the transferor or his heirs are not willing to take back the property or where their whereabouts are not known, the Agent, the Agency Divisional Officer, or prescribed officer, as the case may be, may order the assignment or sale of the property to any other member of a scheduled tribe (or a society registered or deemed to be registered under any law relating to Cooperative Societies for the time being in force in the State) composed solely of members of the Scheduled Tribes, or otherwise dispose it, as if it was a property at the disposal of the State Government".

In the present case, the Revision Petitioner being in legal possession with title over the property, one way contending that, he has not at all transferred the subject property to any person, more particularly to the 4th respondent and further contending that, he has given the contract of demolition of the existing old houses in dilapidated condition to the 4th respondent and accordingly the 4th respondent completed said entrusted work and managed the related affairs and the petitioner himself continuing in possession of the subject property as on date and moreover, when the then Mandal Revenue Officer/Tahsildar without any basis and without producing any prima facie proof the contention of alleged sale, if submits a report on mere suspicion or doubt, taking cognizance of such report and consequent initiation of the proceedings by exercising suo moto powers by the 2nd respondent is bad under law and on the other hand, when the law directs that, the subject property should be restored to the transferor or his heirs, again in contravention of the literal provisions of law directing to take the property into custody of the Government by ejecting the existing owner in possession of the property for assignment to poor tribals is ex facie illegal and beyond the powers of the respondents 2 & 3.

The object, purpose and scope of the Regulation 1/1959 r/w 1/1970 is to protect the immovable properties owned and possessed by the members belong to Scheduled Tribe Community but not for purpose of ejecting the non tribal like the revision petitioner herein to eject from the property owned by them since from his ancestral time on the reason of expression of a perverted, baseless doubt and consequent report of any public servant like the then Mandal Revenue Officer, Bhadrachalam in this case, that too without giving opportunity of examining him before the adjudicated forums of the respondents 2 & 3 is highly objectionable and such practice of issue of orders should be curbed as they are unconstitutional and against Articles 14, 19, 21 & 300 A of the Constitution of India, and stands as grave disregard to the principles of natural justice, and no civilized governance will accept such sort of ejectment orders by the Executive in exercise of the quasi judicial functions. Therefore, the orders under revision were issued by the

respondents 2 & 3 in a way causing grave prejudice to this revision petitioner for the mere reason of expression of a doubt by a public servant in his report, thereby the respondents 2 & 3 instead of adjudicating the case as an impartial adjudicating authorities and in a fair manner in accordance with the settled principles of law, within the four corners of the Regulation 1/1959 r/w 1/1970, considered that, as the revision petitioner is a non tribal he should be ordered for ejectment by hook or crook at their whims and fancies. Therefore, the order under revision is a total failure on the part of the respondents 2 & 3 in exercise of their lawful duties as adjudicating authorities under the Regulation, and for that reason alone, the respondents 2 & 3 issued the impugned orders under total misconception of the law with grave perverted manner, beyond their powers. Hence, the impugned orders under revision are liable to be set-aside, as there is no proof of alleged transaction between the petitioner and the 4th respondent herein and for the reason that the 1st respondent failed to adduce any sort of evidence in support of his contentions in the alleged report.

Therefore, the counsel for Revision Petitioner prayed the Government to allow this Revision and set aside the impugned orders of the 2nd and 3rd respondents dated 30.04.2007 in LTR case No.7/Bhadrachalam/2006 and 21.06.2008 in CMA No.202/2007 respectively, in respect of the subject property measuring an extent of 600 sq.yds consisting of demolished houses bearing H.Nos.6-1-1, 6-1-19 & 6-1-20 situated at Bhadrachalam village of Bhadrachalam Mandal, Bhadrachalam District, in the interest of justice and equity.

17. As seen from the lower court record i.e. LTR case No.7/BCM/2006, the Mandal Revenue Officer, Bhadrachalam vide his Lr.Rc.No.C/1248/2006, **dated 27.5.2006** submitted a report to the Revenue Divisional Officer, Bhadrachalam stating that one non-tribal namely Sesham Raju of Vijayawada had purchased old houses bearing No.6-1-1, 6-1-19 and 6-1-20 situated in Super Bazar Center in Bhadrachalam village from another non-tribal Sri Inavolu Lakshmana Rao (Revision petitioner herein) for a consideration of Rs.20.00 Lakhs of which Rs.12.00L was advanced, for construction of lodge and clearing the ground demolishing the old houses. Therefore, requested to initiate LTR case as the transaction between two non-tribals is prohibited in the schedule area. The MRO further stated in his report that he is making efforts to get the documents related to the above sale transaction and file before the authority.

- Accordingly, Notice in Form-E was issued on **29.5.2006** i.e. after two days of the report of the MRO, Bhadrachalam, numbering the case as 7/BCM/2006.
- In reply to the Notice, Sri R.Sesham Raju had submitted his reply on 3.6.2006 to the Agency Divisional Officer, Bhadrachalam, wherein he clearly denied that there was no sale took place between him and the property owner Sri Inavolu Lakshman Rao but asked him to look after its management.

- In reply to the said Notice, Sri Inavolu Lakshman Rao also submitted his written reply on 3.6.2006 to the Agency Divisional Officer, Bhadrachalam stating that he is the absolute owner and possessor of immovable property measuring 600 sq.yds. As some of his relatives are trying to occupy it illegally, he requested Sri Sesham Raju of Vijayawada to look after its management – except this, no transactions on the property took place and till date paying electricity, water charges etc. to Government on his name only.
- Further Notices were issued on 13.9.2006 to attend before the lower court on 28.9.2006.
- Sri Inavolu Lakshmana Rao (revision petitioner) in his further explanation submitted before the Agency Divisional Officer, Bhadrachalam on 30.10.2006, stated that he is the registered owner and possessor of the property acquired by him from his forefathers under a Registered Will Deed after death of the testator. Except himself no other person much less the alleged occupier has got any right of interest whatsoever in the schedule site under transfer by way of lease or any other form of transfer at any point of time in the past and still continuing in his possession and occupation. As the building became old and needed major repairs, he wanted to construct a new building in that site and with the said object, he requested the other respondent Sri Sesham Raju to demolish and prepare the ground for erection of new building. In the meanwhile, due to miscommunication, thought there is alienation between them and filed LTR case without any basis.
- Similarly, Sri R.Sesham Raju in his further explanation submitted before the Agency Divisional Officer on 6.11.2006 stated that the contents in the notice are not correct and the land described in the notice does not pertain to him and no transfer has been affected attracting LTR provisions.
- The lower court passed orders on 30.4.2007, as reported by MRO Bhadrachalam, shifting of management will come under transfer and burden is on the non-tribal respondents to prove that there is no violation taken place contrary to Regulation. The appellate authority i.e. the Addl. Agent to Government, Bhadrachalam also confirmed the lower court orders in CMA No.202/2007 on 21.6.2008.

18. As seen from the record both lower and appellate courts, the respondent in the lower i.e. appellant in the appellate court and petitioner Sri Inavolu Lakshman Rao in the present Revision Petition before the Government, had filed Registered Will Deed on dt.05.02.1982 proving his legitimate ownership of the schedule property measuring 600 sq.yds. in old houses bearing H.Nos.6-1-1, 6-1-19 and 6-1-20 in Bhadrachalam Town. The MRO Bhadrachalam who in his report dt.27.5.2006 assured the lower court that he would file proof of transaction held between the revision petitioner Sri Inavolu Lakshman Rao and another non-tribal Sri R.Sesham Raju, but failed to file or prove the same before both the lower courts. Admittedly, both the lower courts passed orders against the revision petitioner without any basis and simply on the report of the MRO Bhadrachalam presuming that shifting of management amounts to transfer of property while on the other hand the revision petitioner submitted documentary evidence i.e. Registered Will Deed dt.5.2.2008 proving his legitimate ownership of the property of 600 sq.yds situated in Super Bazar Center in Bhadrachalam village.

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19. The Government has examined the case in detail with reference to the material evidences available on record and other documentary evidences submitted by the revision petitioner before the Government in Revision and with Written Arguments, it is necessary to find out the facts on the following two issues:

- i) whether the Revision Petitioner Sri Inavolu Lakshman Rao is the real owner and possessor of immovable property admeasuring 600 sq.yds situated in Super Bazar Center, Bhadrachalam village & Mandal of Bhadradri Kothagduem District; and if so,
- ii) whether entrustment of immovable property in the scheduled area for management is a Transfer in violation of Sec.3(2)(a) of the Regulation 1/1959 r/w 1/1970.

For point (i)

As per definition under Section 2 (g) of the Regulation 1/1959 r/w 1/1970 reads that, the term "Transfer" means mortgage with or without possession, lease, sale gift, exchange or any other dealing with immovable property, **not being a testamentary disposition** and includes a charge on such property, or a contract relating to such property in respect of such mortgage, lease gift, sale, exchange or other dealing"

Further, Section 3(4) of the Regulation 1/1959 r/w 1/1970 reads that, "for the purposes of this section, the express transfer includes a sale in execution of a decree and also a transfer made by a member of a Scheduled Tribe in favour of another member of Scheduled Tribe benami for the benefit of a person who is not a member of Scheduled Tribe, **but does not include a partition or devolution by succession.**

Thus, the Regulation 1/1959 r/w 1/1970 excluded the acquisition of any immovable property by devolution by general succession as well as succession under testament.

Section 2(h) of the Indian Succession Act, 1925 defines the term "Will" means the legal declaration of the intention of the testator with respect to his property which he desires to be carried into effect after his death. Such disposition of property will be called as testamentary disposition and the person who is the beneficiary under such testament and on consequent acquisition, is called as testamentary succession.

Having due regard and placing reliance on the settled legal position in the order of the Hon'ble High Court dated 03.01.2013 in WP No.11198/2012 between Smt.Alapati Kanaka Durga & another Vs the Special Deputy Collector TW), KR Puram, Buttaigudem Mandal & others as reported in ALT (6) 2013 – page 488 – the acquisition of the immovable property situated in the scheduled areas by virtue of Will deed does not amount to transfer as envisaged under Sec. 2 (g) of the Regulation 1/1959 r/w 1/1970 and amounts to succession only.

In the present Revision, the petitioner Sri Inavolu Lakshmana Rao had acquired the immovable property of 600 sq.yds situated in Super Bazar Centre in Bhadrachalam village and Mandal of Bhadradri

Kothagudem District through Registered will dt.5.2.1982 from his paternal aunt, is a testamentary succession and does not come within the fold of "transfer". Thus, the Revision Petitioner is the legitimate owner of the immovable property of 600 sq.yds situated in Super Bazar Centre in Bhadrachalam village and Mandal of Bhadradi Kothagudem District.

For point (ii)

The argument of the petitioner is that the meaning of transfer under the provisions of Regulation 1/1959 r/w 1/1970 does not include entrustment of any immovable property situated in the scheduled area for management to any person. The expression "other dealing with the immovable property" as occurring in the meaning of transfer is to be considered to the extent of prohibited manner of transfer i.e. mortgage, sale, lease, charge etc. excluding the testamentary succession.

In support of the above argument, a similar case of entrustment of immovable property of the institution in the same Bhadrachalam village by name "Amba Satram" together with its immovable properties situated in the Schedule Area, was made to another person (both non-tribals) for management, having his head office in Karnataka. When this was questioned by an employee working in the said institution, by way of filing WP No.17153/2003 before the Hon'ble High Court at Hyderabad, the Government itself contended that the act of entrustment of the affairs of immovable property for management to another person do not come within the meaning of "transfer" under Regulation 1/1959 r/w 1/1970. The Hon'ble High Court after hearing both parties, vide its order dt.19.7.2005, dismissed the Writ Petition, holding that, entrustment of immovable property in the schedule area for management is not a transfer.

20. On perusal of the Hon'ble High Court Order dt.19.7.2005 in WP No.17153/2003 – the Hon'ble High Court observed that:

"the expression transfer under "Sec.5 of the Transfer of Property Act means – an act by which a living person conveys property in present or in future, in one or more other living persons or to himself and one or more other living persons, and "to transfer property" – is to perform such act. The word conveys is used in a wide sense so as to include sale, mortgage, charge, lease etc. In the impugned proceedings, nowhere it is stated that, the transfer of lands situated in the agency area have been transferred to the fifth respondent institution either by way of mortgage, lease, sale, gift, exchange or other dealing. But the notification only gives permission to the fifth respondent to administer the Amba Satram permanently. The administration is entirely different from transfer. In my considered opinion, the word "Administration" does not come within the meaning of the word "other dealing" as expressed in Sec.2 (g) of the Regulation-70". Though the Amba Satram may be having immovable properties in the tribal area, they are being looked after by the management of the Amba Satram, which is a non-tribal institution. Though the impugned order does not directly indicate about the transfer of immovable property, but it only authorizes the fifth respondent to manage the affairs of Amba Satram. Therefore, in my considered opinion, the administration

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of the Sri Srungeri Muth has only been transferred to the fifth respondent. Hence, it is not a transfer, as such, transferring the immovable properties from a scheduled area to a non-tribal. The regulation only prohibits the transfer of immovable property in favour of non-tribal in any other form. Therefore, the impugned proceedings do not come within the purview of Section 3 of the Regulation 70 and it is completely in accordance with law and therefore the same cannot be quashed as illegal and arbitrary and without jurisdiction".

21. Thus, there is force in the argument of the counsel for petitioner that shifting of management will not come under the meaning of transfer and will not attract LTR proceedings. It is also pertinent to mention here that the above order of Hon'ble Single Judge in the above WP No.17153 of 2003 was upheld in Writ Appeal No.374 of 2006 on 13.11.2014 by the Hon'ble JJ L.Narasimha Reddy and Challa Kodanda Ram.

22. Therefore, Government after careful examination, hereby allow the Revision Petition filed by Sri Inavolu Lakshmana Rao S/o Narasimha Rao R/o Bhadrachalam, Bhadradi Kothagudem District, duly setting aside orders of the lower and appellate authorities in LTR case No.7/Bhadrachalam/2006, dt.30.4.2007 and CMA No.202/2007, dt.21.6.2008 in respect of the subject property measuring an extent of 600 sq.yds consisting of demolished houses bearing H.Nos.6-1-1, 6-1-19 and 6-1-20 situated in Super Bazar Center of Bhadrachalam village and Mandal in Bhadradi Kothagudem District.

23. The original case records received in the reference 3rd read above are returned herewith to the Project Officer, ITDA & Additional Agent to Government, Bhadrachalam, Bhadradi Kothagudem District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

1. Sri Inavolu Lakshmana Rao S/o Narasimha Rao,
R/o Bhadrachalam Bhadradi Kothagudem District,
(Revision Petitioner).
2. The Additional Agent to Government & Project Officer, ITDA
Bhadrachalam, Bhadradi Kothagudem District (w.e.)

Copies to:

1. The Agency Divisional Officer (Sub-Collector), Bhadrachalam,
Bhadradi Kothagudem District. (for information and necessary
action)
2. The Tahsildar, Bhadrachalam, Bhadradi Kothagudem District.
(for information and necessary action)
3. Sri Nanduri Srinivasa Rao, Advocate, Bhadrachalam, Bhadradi
Kothagudem Dist. (Counsel for Revision Petitioner)
4. Sri R.Sesham Raju S/o Bhimaraju (Respondent)
Vijayawada C/o Kshtriya Annanda Satram,
Bhadrachalam, Bhadradi Kothagudem District
5. The PS to Hon'ble Minister for ST Welfare, W&CW.
6. The PS to Secretary (TW)
7. The PS to Special Secretary(TW)
8. SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER